

**STATEMENT OF CONSIDERATION  
RELATING TO 810 KAR 1:009 AND 810 KAR 1:026  
PUBLIC PROTECTION CABINET  
KENTUCKY HORSE RACING COMMISSION  
810 KAR 1:009 – NOT AMENDED AFTER COMMENTS  
810 KAR 1:026 – NOT AMENDED AFTER COMMENTS**

- (1) A public hearing on amendments to 810 KAR 1:009 (Jockeys and apprentices) and 810 KAR 1:026 (Racing associations) was held on July 22, 2010 at 10:00 a.m. at the offices of the Kentucky Horse Racing Commission, 4063 Iron Works Parkway, Building B, Lexington, Kentucky 40511.
- (2) The following individuals or groups attended the public hearing or submitted written comments:

Name	Association
Mindy Coleman	The Jockeys' Guild
Marty Maline	Ky Horsemen's Benevolent and Protective Assoc.
William "Buff" Bradley	Ky Horsemen's Benevolent and Protective Assoc.
David England	Ky Horsemen's Benevolent and Protective Assoc.
Robert P. Benson, Jr.	Ky Horsemen's Benevolent and Protective Assoc.
Kevin Flanery	Churchill Downs
Ekumene Lysonge	Churchill Downs
David Switzer	Kentucky Thoroughbred Association/Kentucky Thoroughbred Owners and Breeders
George S. Bush	
Ryan D. Walsh	
Marilyn Montavon	
Kim Martin	
Craig Huston	
Tammy Rowland-Johnston	

David England also presented a petition containing 131 signatures.

- (3) The following individuals from the Kentucky Horse Racing Commission ("KHRC") attended the hearing:

Name	Title
Marc Guilfoil	Deputy Executive Director
Susan Speckert	General Counsel
Patricia J. Cooksey	Director of Public Relations

### Summary of Comments and Responses

Oral and written comments received from the following individuals and groups are described below:

- (1) Notice of amendments to safety vest provisions. 810 KAR 1:009 Section 14 and 810 KAR 1:026 Section 31.

- (a) Comment: Affected licensees were not given sufficient notice of amendments. Therefore, the amendments should not be implemented on an emergency basis, but in a way that allows licensees to phase out their old equipment and take their time in selecting a new, compliant safety vest. This comment was made by Mindy Coleman, Marty Maline, George S. Bush, Ryan Walsh and David England.

- (b) Response: The KHRC constructed the following timeline of meetings, correspondence and outreach conducted on the safety vest amendments. Upon information and belief, the KHRC conducted more meetings and outreach than is represented on the timeline, but relied strictly on documents in creating the timeline, such as meeting agendas, minutes, sign-in sheets and correspondence.

The timeline demonstrates that the Jockeys' Guild first proposed the amendments in 2008 due to concerns that riders were wearing substandard and unsafe safety vests. The timeline also makes clear that the amendments were discussed at multiple public meetings attended by leaders from organizations that represent and advocate on behalf of jockeys, horsemen and other affected licensees. The KHRC went well beyond its statutory and regulatory duties to inform licensees about the amendments and worked with industry organizations throughout the process.

- 2008 - Jockeys' Guild ("Guild") raised need for updates to safety vest standards to the Association of Racing Commissioners International ("ARCI"). See "Riders Up...Date," The Bloodhorse, by Terry Meyocks, December 9, 2008, attached as Exhibit 1; "ARCI Model Rules Committee and NTRA Safety Alliance," Jockeys' Guild News, by Jeff Johnston, Vol.1, Iss. 1, December 2008, attached as Exhibit 2.
- September 15, 2008 – Safety and Welfare Committee ("SWC") meeting – Commissioner Edward Bonnie raised the issue of amending the safety vest rules in order to strengthen the certification requirements. At that time, only jockeys, exercise riders and persons escorting a horse to the starting gate were required to wear safety vests, and the certification standard was outdated and limited. Specifically, the pre-amendment

certification standard in the Kentucky regulations was ASTM F1937 04 a. The pre-amendment certification in the ARCI model rules was BETA with at least a rating of five. Jeff Johnston, regional manager of the Guild, and David Switzer, executive director of Kentucky Thoroughbred Association/Kentucky Thoroughbred Owners and Breeders ("KTA/KTOB"), were present at the meeting. The SWC decided to address the issue at its next meeting.

- December 1, 2008 – SWC meeting – Jeff Johnston of the Guild addressed the SWC and stated that the ARCI model rule and Kentucky rules on safety vests were outdated. In his report, he noted that updating the rules for safety vests would be an easy way to help ensure jockeys and other participants in horse racing are fitted with the most current and effective safety equipment. He expressed concern that many riders in Kentucky were using safety vests that were not tested for conformity with any international standards. He stated that the Guild would continue to research current international standards and provide the ARCI with a recommendation upon request. SWC Chair Elizabeth Lavin asked Mr. Johnston to continue working with the SWC and suggested that consideration be given to requiring all riders on the track to wear a safety vest at all times.
- December 2008—ARCI meeting—ARCI requested that the Guild submit a proposal to revise the model rule on safety vests.
- May 27, 2009 – SWC meeting – Jeff Johnston gave a presentation on different styles of vests and approval standards. To illustrate his points concerning safety, he brought several different types of vests to show the SWC members. He stated that the Guild supported a rule requiring jockeys to wear a safety vest that meets standards listed in the proposed model rule. The proposed model rule was ultimately adopted by the ARCI and includes the exact standards provided in amended 810 KAR 1:009 and 810 KAR 1:026. The SWC decided to adopt the standards in the model rule as minimum standards for all persons mounted on a horse or stable pony or working the starting gate on association grounds.
- June 9, 2009 – KHRC Meeting – Proposed amendments to the safety vest requirements in 810 KAR 1:009 and 810 KAR 1:026 were presented to the KHRC and were unanimously approved. Jeff Johnston and Joe Clabes from the Guild, David Switzer from KTA/KTOB, Rick Hiles, president of the Kentucky Horsemen's Benevolent and Protective Association ("KHBPA"), Marty Maline, executive director of the KHBPA, and Gene Clabes from the Kentucky Equine Education Project ("KEEP") attended the meeting.
- October 27, 2009 – Rules Committee Meeting – The Rules Committee determined that filing of the safety vest amendments to 810 KAR 1:009 and 810 KAR 1:026 had to be postponed because the safety helmet amendments to those regulations were in the legislative process. The Committee was also considering amendments to the jockey advertising provision in 810 KAR 1:009 and decided to make all the changes to the regulations before filing. Jeff Johnston, Joe Clabes and Block Clabes from the Guild and

Dan Metzger from Thoroughbred Owners and Breeders Association ("TOBA") attended the meeting.

- December 1, 2009 – Rules Committee meeting – Jeff Johnston reported that compliant safety vests were not readily available at that time. Based on Mr. Johnston's report, the committee decided to postpone filing the amended regulations to make certain that the required safety vests were available. In addition to the Guild, Dan Metzger from TOBA and David Switzer from KTA/KTOB attended the meeting.
- December 2009—July 2010 – PJ Cooksey researched and provided information to organizations, such as the KHBPA and the Guild, and licensees regarding potential distributors of approved safety vests. She made herself available in person, by email and telephone to answer questions.
- February 25, 2010 – Rules Committee meeting – Jeff Johnston requested an implementation date of May 15 or June 1, 2010 to give affected licensees time to select a new vest that would meet their needs and the requirements of the amended regulations. The committee approved a motion to file the amended regulations on May 15, 2010 as emergency regulations due to imminent safety concerns. The Committee noted that the amended regulations would go into effect immediately upon filing. Jeff Johnston, Mindy Coleman, Terry Meyocks and Joe Clabes from the Guild attended the meeting.
- March 26, 2010 – A memorandum regarding the amended safety vest requirements ("Safety Vest Memo") was sent out by Marc Guilfoil, Deputy Executive Director of the KHRC, via email explaining the amendments to the regulations and identifying May 15, 2010 as the implementation date. The email was sent to all affected licensees who provided their email addresses on their license application, including jockeys, exercise riders, trainers, other horsemen, racing association representatives and representatives of industry organizations such as KHBPA and KTA/TOBA. See March 26 Safety Vest Memo attached as Exhibit 3.
- April 8, 2010 – Safety Vest Memo posted on the Kentucky Horse Council website. See Exhibit 3.
- April 8, 2010 - PJ Cooksey received email from Jeff Johnston indicating that there are multiple manufacturers that make vests that will conform to the amendments. See email attached as Exhibit 4.
- April 21, 2010 – PJ Cooksey circulated the Safety Vest Memo at the Thoroughbred Training Center in Lexington and spoke with anyone who had questions about the amendments, including trainers, jockeys, exercise riders and other horsemen.
- April 22, 2010 - PJ Cooksey went to Keeneland to discuss the safety vest amendments and spoke with anyone who had questions about the amendments, including trainers, jockeys, exercise riders and other horsemen.

- April 26, 2010 - Marc Gullfoil and PJ Cooksey met with Churchill Downs officials and KHBPA representatives at Churchill Downs to give an update on the safety vest amendments and to inform them of the effective date of May 15, 2010. They also answered questions concerning types of approved vests and their availability.
- April 27, 2010 – PJ Cooksey went to Churchill Downs to discuss the safety vest amendments and spoke with anyone who had questions about the amendments, including trainers, jockeys, exercise riders and other horsemen.
- April 29, 2010 – PJ Cooksey was copied on an email from Jeff Johnston to Leslie Newton of Phoenix Performance about having her attend a meeting at Churchill Downs to “educate everyone who will be required to wear the new vests, why they are better than what they are wearing now, and why the smaller coverage area is ok.” See email attached as Exhibit 5.
- May 3, 2010 – PJ Cooksey received an email from Jeff Johnston regarding his efforts to find additional distributors for approved safety vests. See email attached as Exhibit 6.
- May 5, 2010 – SWC meeting – The SWC met with jockeys, outriders, horsemen, other affected licensees and industry organizations at the recreation building on the backside of Churchill Downs. Approximately 25-30 licensees attended the meeting. The only item on the agenda was the safety vest regulations. After listening to the licensees concerns, the SWC voted to extend the May 15, 2010 effective date to June 15, 2010 to allow additional time for licensees to secure appropriate safety vests. Jeff Johnston, Mindy Coleman and Terry Meyocks from the Guild, David Switzer from KTA/KTOB and Marty Maline from KHBPA attended the meeting.
- May 7, 2010 – PJ Cooksey emailed Marty Maline of the KHBPA to inquire about the KHBPA providing financial assistance to licensees who cannot afford to purchase new vests. See email attached as Exhibit 7.
- May 7, 2010 - Susan Speckert emailed the following members of the industry organizations to ask them to help get the information out to their members about the safety vest amendments, such as creating a flier and working with distributors: Marty Maline of the KHBPA; Terry Meyocks, Jeff Johnston and Mindy Coleman of the Guild; David Switzer of KTA/KTOB; and Remi Bellocq of the National Horsemen's Benevolent and Protective Association (“HBPA”). See email attached as Exhibit 8.
- May 9, 2010 – When the above organizations did not respond, PJ Cooksey created a flier which identified local distributors and websites that were selling approved vests. Ms. Cooksey began posting the flier at the racetracks and training centers. See flier attached as Exhibit 9.
- May 9, 2010 - PJ Cooksey went to Keeneland to discuss the safety vest amendments and spoke with anyone who had questions about the amendments, including trainers, jockeys, exercise riders and other horsemen.

- May 10, 2010 – The Safety Vest Memo was amended to reflect the new effective date and emailed by Marc Gullfoll to all affected licensees who provided their email addresses on their license application, including jockeys, exercise riders, trainers, other horsemen, racing association representatives and representatives of industry organizations such as the KHBPA and the KTA/TOBA. See amended Safety Vest Memo attached as Exhibit 10.
- May 11, 2010 – KHRC meeting – SWC Chair Elizabeth Lavin reported on the May 5, 2010 SWC meeting at Churchill Downs. The KHRC voted to extend the filing and implementation date to June 15, 2010. Jeff Johnston from the Guld and Rick Hiles and Marty Maline from the KHBPA attended the meeting.
- May 19, 2010 - PJ Cooksey went to Keeneland to circulate the amended Safety Vest Memo and post it at the racing office. She also made herself available to trainers, jockeys, exercise riders and other horsemen to discuss the safety vest amendments.
- May 25, 2010 - PJ Cooksey went to Churchill Downs and Trackside Training Center in Louisville to distribute the amended Safety Vest Memo and post it in the track kitchen and at the guard shack. She asked the KTA/KTOB to post it in the backside office.
- May 28, 2010 - Soledad Smith of the KHRC translated the Safety Vest Memo into Spanish. Spanish Safety Vest Memo attached as Exhibit 11.
- May 29, 2010 – PJ Cooksey and Soledad Smith went to the Thoroughbred Training Center in Lexington and circulated the Safety Vest Memo in English and Spanish. Ms. Smith talked to several exercise riders in Spanish about the safety vest amendments. Ms. Cooksey talked with several trainers and posted the Safety Vest Memo at the entrance gate.
- June 3, 2010 - PJ Cooksey went to Churchill Downs to discuss the safety vest amendments and spoke with anyone who had questions about the amendments, including trainers, jockeys, exercise riders and other horsemen.
- June 3, 2010 – PJ Cooksey exchanged emails with Fowler's Jockey Supply regarding the availability of approved safety vests and confirmed that there were 33 vests in stock and 78 more expected to arrive in the next two weeks.
- June 8, 2010 - PJ Cooksey went to Keeneland to discuss the safety vest amendments and spoke with anyone who had questions about the amendments, including trainers, jockeys, exercise riders and other horsemen.
- June 11, 2010 - Announcement included in Churchill Downs "Overnights" circulated to horsemen. Overnight attached as Exhibit 12.

- June 11, 2010 – PJ Cooksey emailed the flier to Turfway Park.
- June 15, 2010 – Amended 810 KAR 1:009 and 810 KAR 1:026 filed as emergency and ordinary regulations. The regulations went into effect upon filing.
- June 30, 2010 - PJ Cooksey went to Ellis Park and posted the Safety Vest Memo in English and Spanish, a list of distributors, and pictures of approved safety vests in the track kitchen, men's and women's restrooms, racing office and jockeys' quarters.

As the above timeline indicates, the KHRC worked for almost two years with industry organizations, held multiple public meetings and made every reasonable effort to communicate directly with affected licensees.

(2) Safety vest selection. 810 KAR 1:009 Section 14 and 810 KAR 1:026 Section 31.

- (a) Comment: Licensees may purchase a vest to comply with the amendments that does not fit properly, does not meet a rider's needs or that the manufacturer later modifies. This comment was made by Mindy Coleman and David England.
- (b) Response: There are at least fourteen available safety vests that comply with the amendments. Prior to the amendment, riders actually had fewer options of compliant vests from which to choose. As with all equipment, from safety helmets and riding boots to gloves and crops, the user is responsible for selecting the equipment that complies with the applicable rules and best meets his/her needs. The KHRC has no control over manufacturers.

(3) Safety vest availability. 810 KAR 1:009 Section 14 and 810 KAR 1:026 Section 31.

- (a) Comment: Availability of compliant vests is inadequate. This comment was made by Mindy Coleman, Marty Maline, and Robert Benson.
- (b) Response: As the timeline demonstrates, the KHRC was responsive to the needs of the affected licensees with regards to the implementation date. Jeff Johnston of the Guild was working with distributors on safety vest availability by at least the end of 2009. The KHRC approved the amendments at its June 9, 2009 meeting. Implementation was postponed until all changes, including those unrelated to safety vests, to the regulations were approved. At the December 1, 2009 Rules Committee meeting, Jeff Johnston of the Guild reported that compliant vests were not readily available at that time.

At the February 25, 2010 Rules Committee meeting, Jeff Johnston of the Guild requested an implementation date of either May 15, 2010 or June 1, 2010. The committee decided on May 15, 2010 as the effective date. Thereafter, the SWC met with affected licensees at Churchill Downs and were asked to postpone the implementation date to give licensees an opportunity to research and select a vest.

The committee agreed and the implementation date was postponed until June 15, 2010.

As the timeline indicates, PJ Cooksey conducted extensive research on the availability of compliant safety vests and distributors. She determined that many different types of compliant vests were and are available. She shared this information in multiple formats. Emails were sent, fliers were posted, meetings were held and many trips to the tracks to speak with affected licensees took place.

While the amendments may require some licensees to purchase a new vest, the amendments give them greater options of vests from which to choose than the old rule.

(4) Old vests are safer. 810 KAR 1:026 Section 31.

- (a) Comment: In some cases, licensees have used their old vests for many years and believe they are safer than some of the compliant vests and feel they should be able to make their own decision about which vest is best for them. This comment was made by Marty Maline, Robert Benson, George S. Bush, Ryan Walsh, Kim Martin, Craig Huston and David England. This comment was also included on the petition.
- (b) Response: Jeff Johnston brought the safety concerns of the Guild to the attention of the KHRC in 2008. He presented compelling information that the KHRC safety vest requirements were outdated and needed to be amended to reflect current technologies in safety vest equipment. The KHRC adopted the standards presented by Jeff Johnston and ultimately adopted by the ARCI. The ARCI model rule provides the standards that all of the racing jurisdictions in the country will look to as they amend their safety vest rules. In addition to Kentucky, other states are amending their regulations. For example, on July 26, 2010, Indiana implemented the identical amendments to their safety vest regulation.

The requirements included in the amendments were created by the leaders in testing products and developing safety standards. These organizations have the expertise to create these standards, and it is upon this expertise that the KHRC must rely when crafting regulations. The General Assembly charged the KHRC with ensuring the safety of participants in a very dangerous sport. KRS 230.215. While some participants may not like it, the KHRC has an obligation to require the use of safety equipment that has been tested and certified by experts.

(5) Costs. 810 KAR 1:009 Section 14.

- (a) Comment: Mindy Coleman noted that the Regulatory Impact Analysis and Tiering Statement of amended 810 KAR 1:009 stated that jockeys would not incur an additional cost as a result of the amendment. However, some jockeys will be required to purchase new vests.



- (b) Response: Ms. Coleman is correct that jockeys who do not already own compliant vests will be required to purchase a new vest.
- (6) Re-certification of safety vests. 810 KAR 1:026 Section 31.
  - (a) Comment: Will a vest need to be re-certified after a fall or other incident that could comprise the vest's integrity? If so, who will perform the re-certification? This question was asked by Marty Maline, Robert Benson and Craig Huston.
  - (b) Response: The regulation says nothing about re-certifying a vest after an incident. As with any other equipment, it is the user's responsibility to determine if a piece of safety equipment has been compromised. Any questions about a specific vest should be directed to the manufacturer.
- (7) Application of safety vest amendments. 810 KAR 1:009 Section 14 and 810 KAR 1:026 Section 31.
  - (a) Comment: Robert Benson commented that the new safety vest requirements only apply to jockeys.
  - (b) Response: In addition to 810 KAR 1:009, the safety vest amendments were also included in 810 KAR 1:026 and apply to any person mounted on a horse or stable pony on association grounds as well as all assistant starters or any person handling a horse in a starting gate.
- (8) Disclosure of terms of jockey advertising agreement to the KHRC. 810 KAR 1:009 Section 15.
  - (a) Comment: The terms of an agreement among the jockeys, racing association and sponsor are confidential and a matter of private contract and should not be disclosed to the KHRC where such terms may be subject to the Open Records Act. Mindy Coleman, Ekumene Lysonge and Kevin Flanery made this comment.
  - (b) Response: The KHRC instituted this requirement in direct response to several instances where the parties were unable to reach an agreement in a timely manner. This inability lead to great confusion and displeasure among affected parties as well as among owners. While the regulation applies to all races, most of the sponsorship agreements occur during large racing events like the Kentucky Derby and the Breeders' Cup. Because the parties could not rectify this problem on their own, the KHRC had to intervene to prevent unacceptable events from the past occurring again.

The KHRC believes that the terms of any such sponsorship agreement would be exempt from disclose under the Open Records Act pursuant to KRS 61.878(1)(c)(1), which provides: "Upon and after July 15, 1992, records

confidentially disclosed to an agency or required by agency to be disclosed to it, generally recognized as confidential or proprietary, which if openly disclosed would permit an unfair commercial advantage to competitors of the entity that disclosed the records.”

- (9) Affect of jockey advertising rule on advertising deals for multiple races. 810 KAR 1:009 Section 15.
- (a) Comment: Mindy Coleman stated that the rule on jockey advertising should exempt contracts for multiple races because it would be impossible to allocate an amount for one race from a year-long agreement.
  - (b) Response: Any advertising worn by a jockey must be approved by the owner of the horse. The terms of that agreement are subject to negotiation between the jockey and the owner. The fact that a rider might have a year-long agreement with a sponsor has no bearing on this requirement.
- (10) Time restrictions on wearing of jockey advertising. 810 KAR 1:009 Section 15.
- (a) Comment: Mindy Coleman stated that the amended rule prohibiting a jockey from wearing other advertising than that agreed upon pursuant to the regulation within one hour before or after a race needs to be changed because the rule is unworkable. She noted that on race days with multiple promotional opportunities such as the Kentucky Derby, a sponsor might require wearing advertising within the prohibited time period.
  - (b) Response: The pre-amendment regulation stated, “[a] jockey shall not wear advertising or promotional material of any kind (whether for a nonprofit or for-profit entity) on clothing within one (1) hour of or during a race, unless...” The KHRC extended the time period to include one hour after a race in response to incidents where jockeys have put unauthorized advertising material on in the winner’s circle, sometimes removing their safety helmets to do so. The amendment clarifies the rule.
- (11) Distribution of fee between owner and jockey. 810 KAR 1:009 Section 15.
- (a) Comment: Mindy Coleman stated that the Guild would oppose any attempt by the KHRC to limit the ability of a jockey to negotiate the advertising fee distribution with an owner.
  - (b) Response: The amended regulation does not regulate the advertising fee distribution among the parties.
- (12) Forms incorporated by reference. 810 KAR 1:009 Section 15.

- (a) Comment: Mindy Coleman stated that the emergency regulation that was filed did not contain the forms that are incorporated by reference.
- (b) Response: The KHRC followed all of the applicable filing requirements contained in KRS 13A, including filing all forms incorporated by reference.

#### **Summary of Statement of Consideration**

The amendments to 810 KAR 1:009 and 810 KAR 1:026 with regards to safety vests were proposed by the Jockey's Guild due to safety concerns about riders wearing substandard and unsafe vests. Safety vests save lives and prevent catastrophic bodily injury. The previous regulations allowed the use of safety vests based on outdated safety data. Moreover, the previous regulations only applied to jockeys, exercise riders and persons who accompany horses to the starting gate. The KHRC worked with the Guild and other industry organizations for almost two years to adopt a regulation based on updated safety information and to provide as much information as possible about the implementation date and availability of compliant vests. While some licensees may be burdened by having to purchase a new safety vest, the KHRC believes that this temporary burden is outweighed by the added protection provided by the various compliant vests.

The amendments to 810 KAR 1:009 with regards to jockey advertising were made in direct response to problems that have occurred repeatedly in the past. Because the parties were not able to rectify these problems on their own, the KHRC had to intervene to protect the interests of all the parties. The disclosure requirement is designed to promote transparency among the parties and should have no bearing on obtaining and negotiating sponsorship agreements.

#### **Action taken by Promulgating Administrative Body**

No changes were made to 810 KAR 1:009 as a result of the comments received during the public comment period. The Regulatory Impact Analysis and Tiering Statement of 810 KAR 1:009 filed with the Regulations Compiler was amended as a result of comments received during the public comment period to reflect that some jockeys who do not have compliant safety vests will have to obtain a new vest.

No changes were made to 810 KAR 1:026 as a result of the comments received during the public comment period.



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## Riders Up...Date - by Terry Meyocks

09 Dec 2008 10:00 AM

4 Comments

The Jockeys' Guild has made substantial progress in many areas over the past year.

Most importantly, the bankruptcy judge approved the Guild's plan to emerge from bankruptcy Dec. 3. The Guild has reached a consensual agreement with its unsecured creditors to pay off their claims. Through bankruptcy, the Guild was able to pay off its outstanding medical claims, its temporary disability payments, and to maintain the jockey savings accounts.

Because of the nature of their profession and injury histories, many jockeys have a difficult time getting insurance or finding affordable health care coverage. The Guild continues to analyze ways to incorporate a health and welfare reimbursement program into our member benefits.

The Guild continues to make strides in reestablishing itself as a credible and meaningful organization in the racing industry.

Recently, the New Jersey Racing Commission approved the Guild to serve as a representative of the jockeys for the New Jersey Jockeys Health and Welfare Trust. The newly established Trust will enable New Jersey riders to obtain health insurance.

We have been able to negotiate a meaningful increase in losing mount fees at a number of tracks including, just recently, those in New Jersey. In many cases this is the first real increase in decades. The Guild has worked with state racing commissions, owners, horsemen's group, and racetracks to reach these agreements, and we continue to negotiate with many other jurisdictions.

This past spring, the Guild partnered with The Jockey Club and Keeneland to develop a secure, Internet-based program to document the medical histories of jockeys for use by emergency medical personnel. To date, participating tracks in the Jockey Health Information System include Keeneland, Churchill Downs, Meadowlands, Monmouth, Turfway, Laurel, Pimlico, Timonium, Sunland, Hawthorne, Aqueduct, Belmont, Saratoga, Hoosier, and Santa Anita.

Also encouraging is the fact that, with the help of Richard Santulli, NetJets, Bill Casner, and the jockeys riding in the Triple Crown races, \$742,000 was raised for racing charities. The Permanently Disabled Jockeys Fund, The Jockey Club Foundation, Grayson-Jockey Club Research Foundation, Anna House, and the Backstretch Employee Service Team benefited through a unique sponsorship throughout the Triple Crown series.

The Guild has been able to attain a significantly greater representation on the board of the Disabled Jockeys Endowment, which will result in improved oversight and control of the funds in that account.

We all know there are many issues facing the racing industry and a number of those are being tackled now by the National Thoroughbred Racing Association's Safety and Integrity Alliance. The Alliance has asked the Guild to join its efforts, which we enthusiastically support.

The Guild is working with the The Jockey Club, NTRA, HBPA, ARCI, KTA, TOBA, AAEP, and TRA to assure a safe racing environment. Among the issues being addressed are: the setting of medical standards/ambulances at racetracks for the care of jockeys and backstretch personnel; improved standards for helmets and safety vests; mandatory race-day veterinary examinations of entered horses; comprehensive standards for jockey weigh-in and weigh-out procedures; gate-loading procedures; establishment of a scientifically based jockey scale of weights; establishment of a jockey nutrition program; participation of all racetracks in The Jockey Club-In Compass medical reports program; an approval system for jockeys racing in North America for the first time; restrictions on the entry of horses that have undergone shock wave therapy; and new standards for riding crops.

As an example, with the help of Dan Fick of The Jockey Club and owner and breeder Scoop Vessels, we sent jockey helmets now in use for testing to Bill Simpson, whose company, Impact Race Products, designs NASCAR safety equipment. During the past few years, the company has improved the helmets used by NASCAR drivers. Simpson's testing revealed there needs to be improvement

In the quality of helmets used by jockeys and exercise riders, and prototypes have already been designed.

The difficult work now being done will need the cooperation of all racing organizations. Hopefully, these changes will reduce the cost for on-track accident policies and lower the workmen's compensation costs to horsemen.

I would like to thank the Guild members for the loyalty they have shown to the Guild during these trying times. Their support has been critical in moving the Guild forward.

*Terry Meyocks is the national manager of the Jockeys' Guild.*

Filed under: final turn, The Jockey Club, health and welfare trust, Jockey's guild, Keeneland, terry meyocks

#### 4 COMMENTS:

Hello Terry..Congratulations on finally getting your house in order after years of discord as this success has to be attributed to your indefatigable efforts and in concert with those board members and myriad of racing organizations that realize the importance of what the guild represents and their vital and imperative ingredient to the sport itself...However.... I want to ask you now that it appears you finally have a blueprint to go forward as to whether the guild is finally going to market and promote its members in the way they should be. Aside from corporate logos that do appear on their white riding pants..albeit somewhat sporadically..this subtle corporate effort does nothing to promote the athletic prowess of these fine-tuned athletes in the identical milieu as their counterparts in other sports whom for years and years have been promoted incessantly....and successfully...Jockeys are unequivocally superior athletes..far more so than other athletes in other sports and yet do not receive the same..If any recognition whatsoever as these other players..Why is that? Do you have in place now an organization or team or group or committee that now can focus on this essential aspect of promoting the sport..albeit tangentially through the riders?..There are an plethora of opportunities out there for them to become visible save an occasional tv spot prior to the Triple Crown or Breeders' Cup events...These great gladiators of the turf are so underrated its shameful.Perhaps now you can develop an extensive marketing plan to have them advance front and center in the world of sports vis-a-vis after a win in a major televised race during the course of the year..Racing desperately needs this type of heralding..and so do these unsung heroes of the turf...I certainly hope the Guild has this creative initiative on its next new business agenda when the board convenes again..and hopefully soon....Thank you always for your kind window and best regards and continued great success Terry..Steve Stone..East Hanover..New Jersey

**STEVE STONE** 09 Dec 2008 1:03 PM

TERRY,

IT APPEARS THAT YOU'VE GOT THE JOCKEYS' GUILD GOING IN THE RIGHT DIRECTION. KEEP UP THIS GOOD, IMPORTANT WORK.

December 2008



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# Jockeys' Guild News

## Guild Emerges from Bankruptcy

Confirmation of a plan allowing the Jockeys' Guild to emerge from bankruptcy was approved December 3rd.

The Guild had filed for bankruptcy protection in October of 2007 and Jockeys' Guild National Manager Terry Meyocks said the expected confirmation would allow the organization, "to move on to one of our goals which is helping promote industry."

Meyocks said the Guild's reorganiza-

tion wouldn't have been possible without the effort of industry partners, including Churchill Downs, Inc., Magna Entertainment Corp., the National Thoroughbred Racing Association, and Keeneland Race Course among others. He added that financial help - such as \$250,000 donated by California horse owner Michael Bello and a \$500,000 loan by former National Manager Dwight Manley - also aided the organization's cause.

"We've had a lot of support,"

Meyocks said.

During the reorganization period, the Guild paid more than \$700,000 in health insurance claims, contributed more than \$500,000 in temporary disability claims and protected the jockey's savings account.

While the Guild had to drop health coverage at the end of 2007, it continues to facilitate life insurance coverage and temporary disability.

## Annual Assembly Held in Las Vegas

Jockeys' Guild members from a majority of the leading tracks in the United States gathered in Las Vegas December 8-9 for its first meeting since emerging from bankruptcy.

Guild officials updated assembly attendees on the financial condition of the Guild now that it has emerged from bankruptcy. Other topics discussed were health insurance, increases in losing mount fees, opportunities in corporate sponsorships, an update on the Disabled Jockeys Endowment, improved on-track medical care, cooperation with the industry for common goals, jockey representation with racing commissions, stewards, track management or other racing related organizations and media rights fees.

Speakers featured at the gathering included Don Fehr, Executive Director of the Major League Baseball Players Association, Dr. Barry Schurmer, Medical Director of the Keeneland Association, Mike Mossholder, Vice-President of Sales for Churchill Downs, Inc., Don Larkin,

Senior Investment Specialist for Northwestern Mutual Financial Network, Michelle Penna of InCompass, a subsidiary of The Jockey Club, which has helped develop the Jockey Health Information System and Nancy LaSala who reported on the Disabled Jockeys Endowment and Permanently Disabled Jockeys Fund.

"We appreciate the input of all the presenters at the assembly and in particular, we would like to thank Don Fehr for attending our meeting and explaining the steps that he and the MLBPA have taken to improve the status of major league baseball players," said Terry Meyocks, National Manager of the Jockeys' Guild.

The Guild announced plans to reach out to other jockeys' organizations

around the globe including Canada, the UK, Japan, Hong Kong and Australia to explore sponsorship opportunities as well as solutions to common problems facing jockeys. The Guild welcomed Canadian riders who attended the second day of the annual meeting.

Guild members voted to support the NTRA Safety Initiative but also urged the industry to go beyond the current measures. The Guild asked the industry to help find a means to provide paid health insurance for jockeys and their families, to continue discussions to increase the scale of jockey weights, to improve existing accident insurance at all tracks, adjust weekly disability benefits to keep pace with inflation and gain increased industry support to develop better helmets and safety vests.

The entire slate of officers was reelected, John Velazquez as chairman, G.R. Carter as vice chairman, Jerry LaSala as treasurer and Jon Court as secretary.





"In many states the jockeys have not received a meaningful increase in decades."



## NJ Riders Receive Increase In Mount Fees/Trust Fund Formed

The New Jersey Racing Commission has approved a raise in losing mount fees for New Jersey jockeys and voted to formally recognize the Jockeys' Guild as the representative of New Jersey jockeys for a new insurance and welfare trust.

The new losing mount fee has been raised to \$100 and takes effect in 2009. Previously, losing mount fees ranged from \$50 on the low end to \$80 on the upper end of the purse scale.

The Guild also sought the designation as representative of the

riders to allow the formation of an insurance trust, the New Jersey Jockeys Health and Welfare Trust.

"It is a particularly good time for the Guild with the emergence from Chapter 11, the success in raising the losing mount fees to \$100 and the designation of the Guild as the representative for New Jersey jockeys," said Terry Meyocks, national manager of the Jockeys' Guild.

The raise in losing mount fees follows increases through legislation in California last fall and

negotiated increases this year at Aqueduct, Belmont Park, Saratoga, Finger Lakes, Calder, Fairmount Park, Hawthorne, Arlington, Indiana Downs and Hoosier Park, Tampa Bay and Turf Paradise. Additionally, jockeys at Philadelphia Park and Penn National also received an increase.

"In many states, the jockeys have not received a meaningful increase in decades. We are currently negotiating with representatives of a number of other jurisdictions to reach similar agreements," noted Meyocks.

## New Members of Disabled Jockeys' Endowment Board

In May, 2008, Nancy LaSala, board chair of the Permanently Disabled Jockeys' Fund; Gina Lavo, the Vice-President of finance for the Los Angeles Turf Club; Terry Meyocks, National Manager of the Jockeys' Guild and John Velazquez, chairman of the board of the Jockeys' Guild were elected to the Disabled Jockeys' Endowment Board.

The new members take the place of John Joseph, Richard Lewandowski, Michael Kazanjian and Peter Michael.

In December, 2008, the terms of

Dan Farrar and Greg Oglottti expired. They leave the board with sincere thanks and appreciation for their service and support. The new officers are Nancy LaSala, Chairman; Gina Lavo, Treasurer; and Terry Meyocks, Secretary. They join fellow board members Laffie Pincay, Jr., Jack Fires and Richard Shapiro, Chairman of the California Horse Racing Board.

"We look forward to the challenge ahead," said Richard B. Shapiro. "There is a great deal of work to be done to make this endowment a self-sustaining source of help for

disabled jockeys. We must build on the foundation already established to provide necessary help to those who need it. It will not be an easy task, but we will work diligently to assist these athletes who gave so much to our sport."

The Disabled Jockey Endowment sponsored by the Jockeys' Guild when it was created in 2002, seeks to raise funds for its endowment goal of \$10 million to provide aid to permanently disabled jockeys through annual income provided by principal.

## Charities Benefit From Innovative Triple Crown Promotion

An innovative Triple Crown collaboration facilitated by NetJets, Inc. resulted in more than \$740,000 distributed to racing-related charities including \$500,000 to the Permanently Disabled Jockeys' Fund. In all three races, the NetJets logo was worn by the riders as part of this promotion.

Kentucky Derby: PDJF - \$500,000 (\$200,000 donated by the Kentucky Derby jockeys; \$100,000 from NetJets; \$100,000 from NetJets chairman Richard

Santulli; and \$100,000 from Bill Camer of WinStar Farms.)

Preakness Stakes: Jockey Club Research Foundation - \$46,000 and Grayson-Jockey Club Research Foundation - \$46,000 (\$82,500 donated by the Preakness Stakes jockeys and \$9,500 donated by NetJets.)

Belmont Stakes: Belmont Child Care Association - \$75,000 and the Backstretch Employee Service Team - \$75,000 (\$75,000 donated by the Belmont Stakes

jockeys with a matching donation by NetJets.)

"The industry worked together for the benefit of the industry and a worthy cause. My fellow riders and I, along with the Jockeys' Guild look forward to continuing to work with all segments of the industry to help racing and its charitable efforts, and we hope everyone who cares about racing will contribute to these deserving causes," said John Velazquez, who serves as Chairman of the board of directors of the Jockeys' Guild.

## ARCI Model Rules Committee and NTRA Safety Alliance

Jeff Johnston  
Midwest Regional Manager

The ARCI Model Rules committee is made up of commissioners or commission staff from racing jurisdictions throughout the U.S. The Committee has the task of developing rules for the horseracing industry that will best protect all racing participants and the future of the horseracing industry. It develops "Model Rules" with aspirations of full adoption by all State Racing Commissions for the Rules of Racing in their respective jurisdictions. With the recent congressional hearings, there is a stronger push than ever for states to adhere to the "Model Rules" set forth by the committee and work towards more uniform rules throughout the U.S.

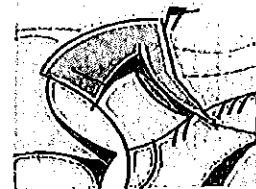
The ARCI Model Rules committee meets with industry representatives and develops Model Rules around their recommendations and testimony. Activity of the Jockeys' Guild can be shown by review of the recent agendas for ARCI Model Rules Committee meetings. Rules regarding jockey

safety have been at the forefront. Included in their agendas have been rule changes regarding helmets, pre-race testing, ambulance requirements and protocol, jockey eligibility requirements, shockwave therapy restrictions, and safety vests. Rules regulating riding crops and the proper use of them were also a hot topic. While the Committee's Model Rule will now call for use of new, humane whips, jockeys will not be required to change their current style of riding which had the backing of many influential industry groups. The Jockeys' Guild has been very proactive with this group and will continue to work with them to develop or change rules that meet the needs of today's active jockey.

Many of the same topics have also been included in certification procedures for the new NTRA Safety Alliance and have been topics of discussion in other safety meetings across the country. These groups represent the future of horse racing and include many issues that will affect jockeys' safety and welfare. The NTRA Safety Alliance will require tracks meet certain safety standards including safety rails, certi-

fied ambulance staff, properly padded starting gates, and other safety measures to be awarded its highest rating and receive the benefits associated. They are also addressing issues such as jockey weights and insurance needs.

Jockey health and safety is receiving more attention now than ever in the U.S. and globally. The International Conference on Health, Safety, and Welfare of Jockeys (ICHSWJ) is addressing all of the same issues and others including Body Weight Studies, Bone Density Studies, and Jockey Compensation. The Jockeys' Guild hopes to be a major part in their next international conference in 2010. There is also interest in jockey health and safety by industry groups such as the AQHA and Keeneland, who are helping fund new helmet testing and manufacturing, and the California Horsemen's Safety Alliance (CHSA) who are advocating for new helmet standards, and are working to develop a better, safer, safety vest. There are also universities looking into jockey health and safety and trying to secure funding for a national study on the health and welfare of the American jockey.



*"Jockey health and safety is receiving more attention now than ever in the U.S. and globally."*

## Jockey Health Information System

InCompass Solutions has launched the Jockey Health Information System, a database that will store jockeys' updated medical histories and make it possible for emergency medical personnel at racetracks to instantly access that information in the event of an injury.

There is no cost for any racetrack or jockey to participate in the Jockey Health Information System. It can be accessed via a new module of InCompass' Race Track Operations system.

The creation and development of the JHIS featured a collaboration among InCompass, The Jockey Club Technology Services, the Jockeys' Guild, Keeneland, and Dr. Barry Schumert, Keeneland's medical director who developed the original concept and consulted on the project.

The system made its debut on October 3, Keeneland's opening day.

"This system will be a tremendous benefit to riders all over the country and the medical person-

nel who treat them," said Terry Meyocks, national manager of the Jockeys' Guild. "The Guild is very grateful to The Jockey Club for developing and implementing this system and for doing so on a pro bono basis for our members."

In addition to Keeneland, participating tracks to date include Churchill Downs, Meadowlands, Monmouth, Turfway Park, Laurel, Pimlico, Timonium, Sunland, Hawthorne, NYRA tracks, Hoosier and Santa Anita.



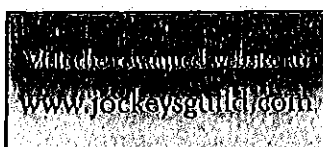




## JOCKEYS' GUILD, INC.

103 Wind Haven Drive  
Suite 200  
Nicholasville, KY 40356

866-GO-JOCKS (866-465-6257)  
859-305-0606  
859-219-9892 FAX  
E-mail: [info@jockeysguild.com](mailto:info@jockeysguild.com)



## JOCKEYS' GUILD STAFF

**Terence J. Meyocks**  
National Manager  
[tmeyocks@moretacingent.com](mailto:tmeyocks@moretacingent.com)

**Jamie Carter**  
Mount Fees, Media Rights  
[jamie@jockeysguild.com](mailto:jamie@jockeysguild.com)

**Gloria Hinkson-Barajas**  
Bilingual Receptionist  
[Gloria@jockeysguild.com](mailto:Gloria@jockeysguild.com)

**Tina Linville**  
Accounts Receivable/Payable, Invoicing  
[Tina@jockeysguild.com](mailto:Tina@jockeysguild.com)

**Shevawn Moore**  
Temporary Disability, Life Insurance  
Benefits, Permanently Disabled Members  
[smoore@jockeysguild.com](mailto:smoore@jockeysguild.com)

**Jennifer Ray**  
Membership, Website Administration  
[jray@jockeysguild.com](mailto:jray@jockeysguild.com)

## Jockeys' Guild Regional Representatives

**John Beech**  
(512) 826-3344  
[jbeech@jockeysguild.com](mailto:jbeech@jockeysguild.com)

**Datrell Halre**  
(909) 241-2704  
[dhalre@jockeysguild.com](mailto:dhalre@jockeysguild.com)

**Jeff Johnston**  
(859) 547-8084  
[jeff@jockeysguild.com](mailto:jeff@jockeysguild.com)

**Herbie Rivera, Jr.**  
(727) 637-2426  
[herbie@jockeysguild.com](mailto:herbie@jockeysguild.com)

**Larry Sattmell**  
(410) 262-9991  
[larry@jockeysguild.com](mailto:larry@jockeysguild.com)

## 2009 Jockeys' Guild Senate

### Eastern Region

Joe Bravo  
Javier Castellano  
Ramon Dominguez  
Stewart Elliott  
Mike Luzzi  
Mario Pino  
Edgar Prado  
John Velazquez  
Jose Velez, Jr.

### Central Region

Robby Albarado  
Jesse Campbell  
Joel Campbell  
Perry Compton  
Jerry LaSala  
Randy Meler  
Olen Murphy  
Rodney Prescott  
Eddie Razo  
Alex Birtzer - Alt.

### Western Region

Jon Court  
David Flores  
Garrett Gomez  
Casey Lambert  
Leslie Mawing  
Mike Smith  
O.R. Carter  
Cody Jensen  
Sam Thompson  
Kent Desormeaux - Alt.


## 2009 Jockeys' Guild Board of Directors

**John Velazquez**, Chairman  
**G.R. Carter**, Vice Chairman  
**Jerry LaSala**, Treasurer  
**Jon Court**, Secretary

**Robby Albarado**  
**Joel Campbell**  
**Perry Compton**  
**Olen Murphy**  
**Rodney Prescott**

Congratulations to: Kent Desormeaux on career win 5,000; John Velazquez on career win 4,000; Mike Luzzi on career win 3,000; Garrett Gomez on career win 3,000; E.J. Perrodin on career win 3,000; Jose Valdivia on career win 1,000; Juan Gutierrez on career win 1,000; Felipe Santos on career win 1,000; Kevin Radke on career win 1,000; Mike Ziegler on career win 1,000; Julien Leparoux on tying Pat Day for the Churchill Downs record for wins in one day with seven and for setting a new record for wins at the Churchill Fall Meet; George Woolf Award finalists - Gary Baze, Calvin Boral, Javier Castellano, David Flores and John Velazquez, all Guild members. Best wishes to Earlie Fries on his retirement after 43 years in the saddle, 6,470 wins and \$86,392,977 in purses.

Watch for the Animal Planet series "Jockeys" debuting on February 6, 2009. The series, filmed at Santa Anita and Fairplex, will document a group of riders and their mounts.



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### Emergency Amendments Concerning Safety Vest Regulations & Racing

From the Public Protection Cabinet

**KENTUCKY HORSE RACING COMMISSION**  
Lisa E. Underwood, Executive Director  
4063 Ironworks Pike, Bldg. 8  
Lexington, Kentucky 40511  
Telephone: (859) 246-2040 Fax: (859) 246-2039  
Web Site: www.khrc.ky.gov

**TO: ALL RACING ASSOCIATIONS**  
**FROM: Marc G. Foltz, Deputy Executive Director**  
**DATE: March 26, 2010**  
**SUBJECT: SAFETY VEST REGULATION**

On May 18, 2010, the Kentucky Horse Racing Commission (KHRC) will file emergency amendments to 810 KAR 1:009 and 810 KAR 1:026. Because these are emergency amendments, they will go into effect as soon as they are filed. Once they go into effect, anyone on a horse or stable pony on association grounds or anyone handling a horse in the starting gate must wear a safety vest.

810 KAR 1:009 regarding jockeys and apprentices will set forth the minimum standards for safety vest requirements as follows:

A jockey mounted on a horse or stable pony on any location under the jurisdiction of the commission shall wear a safety vest at all times. The safety vest shall not weigh more than two (2) pounds and must comply with one of the following minimum standards:

- (a) British Equestrian Trade Association (BETA): 2000 Level 1;
- (b) Euro Norm (EN) 13178: 2000 Level 1;
- (c) American Society for Testing and Materials (ASTM) F2681-08;
- (d) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document H6 Issue 3;
- (e) Australian Racing Board (ARB) Standard 1.1998

810 KAR 1:026 regarding racing associations will be amended to require anyone on a horse or stable pony or at the starting gate to wear a safety vest as follows:

Any person mounted on a horse or stable pony on any location under the jurisdiction of the commission, all assistant starters, and any person handling a horse in a starting gate shall wear a safety vest at all times. The safety vest shall comply with one of the following minimum standards:

- (a) British Equestrian Trade Association (BETA): 2000 Level 1;
- (b) Euro Norm (EN) 13178: 2000 Level 1;
- (c) American Society for Testing and Materials (ASTM) F2681-08;
- (d) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document H6 Issue 3;
- (e) Australian Racing Board (ARB) Standard 1.1998

Again, these are emergency amendments that will go into effect immediately when they are filed on May 18, 2010. Therefore, it is imperative that you notify any and all of your licensees who will be mounted on a horse or stable pony, or who will be working with a horse in a starting gate, at any location under the jurisdiction of the KHRC, that they must obtain a safety vest that is in compliance with the amendments to the administrative regulations.

**Rating: 6.00 / 5.00 - Awesome!**  
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3

## Cooksey, Patricia (PPC)

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**From:** J Johnston [jockey]johnston@yahoo.com]  
**Sent:** Thursday, April 08, 2010 10:13 PM  
**To:** Cooksey, Patricia (PPC)  
**Cc:** Terry Meyocks; Mindy Coleman; Betsy Lavin; Guilfoil, Marc (PPC); Underwood, Lisa (PPC)  
**Subject:** Re: Safety vests

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

PJ,

There are multiple manufacturers that make vests that will conform to the new rule. The most popular with the jockeys so far seem to be the How's Racesafe vest that meets both Beta 1 and SATRA standards <http://www.hows-racesafe.co.uk/> and the new ASTM vest produced by Phoenix Performance Products <http://www.phoenixperformance.com/>. There are still a significant number that are not happy with any change in the rule. More are coming on board as they better understand the new rule and see additional models that comply.

More vests are available that meet one of the standards included in the rule at sites such as <http://internationaljockeysupplies.com/welcome/page20.php> and [http://www.amirashop.co.uk/acatalog/Body\\_Protectors.html](http://www.amirashop.co.uk/acatalog/Body_Protectors.html).

Additionally, more vests are expected soon that meet the ASTM standard from Excalibur and Charles Owen, but I haven't heard an update on when. I received word yesterday that the Japan vests jockeys were hoping would be allowed performed poorly in tests and have no chance of certification as currently manufactured.

Other vests are also available for exercise riders and others who can wear heavier vests from manufacturers that produce vests that meet higher standards such as BETA 2 and BETA 3. I haven't done much research on these, but your resources at the horsepark should be able to help you as I think most of the eventing groups require these higher standards.

Please let me know if I can help with anything else and what you find out. I hate to recommend any further delays in implementation, but it may be something we should consider. We are working hard to make European models more available, but response has been slower than expected. More options and additional communication will help to make implementation of this rule much more palatable. Perhaps we could consider the same implementation date as Indiana has selected. An additional step towards unified rules?

Hope to see you on Friday the 16th. Have you made your song choice?

Jeff Johnston  
Regional Manager  
The Jockeys' Guild  
(859) 547-8084

**Speckert, Susan (PPC)**

---

**Subject:** FW: Great to meet you!

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**From:** J Johnston [mailto:jockeyjohnston@yahoo.com]  
**Sent:** Thursday, April 29, 2010 11:08 PM  
**To:** Leslie Newton  
**Subject:** Re: Great to meet you!

It would be very helpful if you could come to the meeting on May 5th. We need to educate everyone who will be required to wear the new vests why they are better than what they are wearing now and why the smaller coverage area is ok. We also need to explain the testing procedures and what the results indicate.

It would be very helpful if we could show a video of the testing procedure.

It would also be a good opportunity for you to hear more input on the new vest and what the people think of them compared to earlier editions of vests from PPP. Can we show how the new vests compare to the older models that are still popular on the backside?

I have spoken to the Kentucky Racing Commission about you attending the meeting. I expect them to contact you next week with questions. Perhaps we could schedule a conference call prior to the May 5th meeting if you are not able to attend.

It would be great to see you again and discuss future initiatives.

I've copied PJ Cooksey so she has your contact info.

*Jeff Johnston  
Regional Manager  
The Jockeys' Guild  
(859) 547-8084*

---

**From:** Leslie Newton <Leslie@phoenixperformance.com>  
**To:** J Johnston <jockeyjohnston@yahoo.com>  
**Sent:** Thu, April 29, 2010 3:40:53 PM  
**Subject:** RE: Great to meet you!

Hi Jeff,

Would there be any purpose to me coming to Churchill for the May 6<sup>th</sup> meeting?

I'm still interested in learning more about the opposition to the new rules. As well I'd love to get our vest and helmet on gate crew. (I have to follow up with Spec from Keenland)

Let me know

---

**From:** J Johnston [mailto:jockeyjohnston@yahoo.com]  
**Sent:** April 22, 2010 7:09 PM  
**To:** Leslie Newton  
**Subject:** Re: Great to meet you!

Great to meet you too. Again I apologize for the moblike mentality. I did not expect them to act that way.

The May 5th meeting is at Churchill Downs. The commission has scheduled the meeting to address concerns of the riders and the horsemen who don't want the new rule.

The Arlington Park meet starts next Friday and they have instituted a house rule, which according to their press release, requires ASTM. I think the press release was incorrect, but I haven't been able to confirm. The jockeys up there have been given notice, but I still anticipate a not so smooth implementation. Whatever we can do to provide data explaining the need for the new vests will be very helpful.

I spoke to Delaware today and they are looking to implement the rule too. Do you have any plans to visit that area any time soon? That is not my area, but I can help you arrange a meeting if you are interested. They are a relatively proactive state and should be easier to talk to.

Please let me know if there is anything I can help you with. I would like to work closely to get the riders on board with the new rule and continue to improve materials and designs. Please call me anytime you visit Kentucky. I'm only an hour from the horsepark.

*Jeff Johnston  
Regional Manager  
The Jockeys' Guild  
(859) 547-8084*

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From: "leslie@phoenixperformance.com" <leslie@phoenixperformance.com>  
To: Jeff Johnston <jockeyjohnston@yahoo.com>  
Sent: Thu, April 22, 2010 2:41:12 PM  
Subject: Great to meet you!

Finally... Thanks again for the impromptu meeting.

Is May 5th Chicago Rules meeting?

Also, could you let me know who I met (non jockey) today? And what their role is at the track?

Thanks  
Sent from my BlackBerry device on the Rogers Wireless Network

**Speckert, Susan (PPC)**

---

**Subject:**

**FW: MEETING WEDNESDAY**

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**From:** J Johnston [mailto:jockeyjohnston@yahoo.com]  
**Sent:** Monday, May 03, 2010 11:23 AM  
**To:** RUSHWEEK@aol.com  
**Cc:** Terry Meyocks; Cooksey, Patricia (PPC)  
**Subject:** Re: MEETING WEDNESDAY

Thanks Betsy. My mother is doing well. I will be at the meeting at Churchill. I have samples for 4 vests that meet the new regulation, but we are still having a problem with distribution of the How's Racesafe vest which is the most popular and may be the key to a smooth transition. I have been in touch with How's and they are looking for a distributor in the US. I put them in touch with a company that is interested over the weekend. I hope to hear news prior to the meeting on Wednesday. I look forward to seeing you there.

*Jeff Johnston  
Regional Manager  
The Jockeys' Guild  
(859) 547-8084*

---

**From:** "RUSHWEEK@aol.com" <RUSHWEEK@aol.com>  
**To:** jockeyjohnston@yahoo.com  
**Sent:** Mon, May 3, 2010 11:05:54 AM  
**Subject:** MEETING WEDNESDAY

JEFF: I WAS GLAD TO LEARN YOUR MOTHER IS OUT OF THE HOSPITAL. I HOPE YOU WILL BE AT THE MEETING ON WEDNESDAY. DO YOU STILL SUPPORT THE SAFETY VEST REQUIREMENT AND THE VESTS THAT WE APPROVED LAST YEAR? DO YOU HAVE ANY CURRENT INFORMATION ABOUT AVAILIBLTY OF THE APPROVED VESTS ( THE 6 DIFFERENT COS. LISTED). THANKS, BETSY

**Cooksey, Patricia (PPC)**

---

**From:** Cooksey, Patricia (PPC)  
**Sent:** Friday, May 07, 2010 3:47 PM  
**To:** 'KYMarty@aol.com'  
**Cc:** Speckert, Susan (PPC); Underwood, Lisa (PPC); Gullfoll, Marc (PPC).  
**Subject:** Safety vests

Hello Marty,

I would like to follow up to see if you had a chance to meet with your board members as to what support you can provide to licensees for the vests.

If you find out anything please let me know.

Thank you,

*Patricia J. Cooksey*

Kentucky Horse Racing Commission  
4063 Iron Works Parkway, Bldg. B  
Lexington, Kentucky 40511  
O: 859 246-2040 F: 859 246-2039  
[www.khrc.ky.gov](http://www.khrc.ky.gov)

## **Speckert, Susan (PPC)**

---

**From:** Speckert, Susan (PPC)  
**Sent:** Friday, May 07, 2010 3:26 PM  
**To:** 'tmeyocks@jockeysguild.com'; 'Jeff@jockeysguild.com'; 'mcoleman@jockeysguild.com'; 'dswitzer@kta-ktob.com'; 'kymarty@aol.com'; 'rbellocq@hbpa.org'  
**Cc:** Underwood, Lisa (PPC); Gullfoil, Marc (PPC); Cooksey, Patricia (PPC); 'RUSHWEEK@aol.com'  
**Subject:** safety vests

Dear all,

We appreciate your support and cooperation as we get ready to implement the new regulation with regards to safety vests. At the meeting held last Wednesday, May 5, at Churchill Downs, it occurred to me that the Commission was undertaking duties outside our role as regulator. That kind of thing makes us lawyers nervous! For example, several people who attended the meeting expressed interest in meeting with a distributor who could provide samples for them to try. We think this is a great idea, and we want to be helpful, but we don't feel that the Commission should organize such a meeting or work with any distributor on prices, types of vests, etc. Additionally, someone suggested creating a flyer with information about distributors and other information people can use to find the right vest for them. Again, we think this is a great idea, but do not feel that the Commission should undertake this task.

PJ Cooksey has done a lot of research that was passed out during the meeting. Please feel free to contact her if you would like the website addresses or any other information she has collected. The two distributors she has spoken with are Larry Fowler (502-593-9442) and Jimmy Wolford (856-488-5456). These distributors, or others, may be willing to come out to Churchill with some samples and may also be willing to work with an organization on prices. We would encourage your organizations to contact some distributors so that you can provide information to your members.

Another question was posed with regards to ensuring the fitness of a vest after a fall has occurred. We would hope that individuals who purchase safety equipment would follow the manufacturer's recommendations with regards to care and replacement.

We will be sending out a memorandum announcing the effective date of the amended regulation Monday morning, May 10. If you would like us to include a contact person from your organization to field questions from your members, please let me know as soon as possible, and we will be happy to include that information in the memo.

Please do not hesitate to contact me if you have any questions or concerns.  
Many thanks and best wishes, Susan

Susan Bryson Speckert  
General Counsel  
Kentucky Horse Racing Commission  
4063 Ironworks Parkway, Building B  
Lexington, Kentucky 40511  
office: 859-246-2040  
facsimile: 859-246-2039

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## KENTUCKY HORSE RACING COMMISSION

Telephone: (859) 246-2040 Fax: (859) 246-2039

Web site: [www.khrc.ky.gov](http://www.khrc.ky.gov)



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### NEW SAFETY VEST REGULATION

**Effective June 15, 2010**, any person mounted on a horse or stable pony on the grounds of any Kentucky race track or training center under the jurisdiction of the Commission, all assistant starters and anyone handling a horse in a starting gate must wear a safety vest at all times.

The safety vest must comply with or exceed one of the following minimum standards:

1. British Equestrian Trade Association (BETA): 2000 Level 1
2. Euro Norm (EN) 13158:2000 Level 1
3. American Society for Testing and Materials (ASTM) F2681-08
4. Shoe and Allied Trade Research Association (SATRA) Jockey Vest Documentation M6 Issue 3
5. Australian Racing Board (ARB) Standard 1.1998

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There are many vests available that meet the above minimum standards at a variety of prices. The Kentucky Horse Racing Commission does not endorse any one vest nor does it recommend any particular distributor or tack shop. Following is a non-exclusive list of some distributors who have at least one type of approved vest.

Richard Guidry-track sales-Churchill Downs/Keeneland jockeys room	504-782-4027
Fowler's Jockey Supply, LLC	502-633-1600
Luckett's Tack Shop	502-363-4131
Pinkston Saddlery	859-252-1560
Rammler Torres-track sales-Indiana Downs jockeys room	317-395-4782
Fran's Tack Shop	765-425-1819
Jimmy Welford-Whips International	856 488-5456

Websites:

[www.hows-racesafe.co.uk](http://www.hows-racesafe.co.uk)  
[www.phoenixperformance.com](http://www.phoenixperformance.com)  
[www.internationaljockeysupplies.com](http://www.internationaljockeysupplies.com)

[www.amirashop.co.uk](http://www.amirashop.co.uk)  
[www.jockeystore.com](http://www.jockeystore.com)  
[www.jockeytack.com](http://www.jockeytack.com)

STEVE BESHEAR  
GOVERNOR



ROBERT D. VANCE  
SECRETARY

**PUBLIC PROTECTION CABINET**

ROBERT M. BECK, JR.  
CHAIRMAN

**KENTUCKY HORSE RACING COMMISSION**

LISA E. UNDERWOOD, EXECUTIVE DIRECTOR  
4063 IRONWORKS PKWY, BLDG. B  
LEXINGTON, KENTUCKY 40511  
Telephone: (859) 246-2040 Fax: (859) 246-2039  
Web site: www.khrc.ky.gov

**TO: ALL RACING ASSOCIATIONS AND LICENSEES**

**FROM: Marc Guilfoil, Deputy Executive Director**

**DATE: May 10, 2010**

**SUBJECT: AMENDED SAFETY VEST REGULATION**

The purpose of this Memorandum is to inform you that on June 15, 2010, the amended regulation regarding safety vests will go into effect in Kentucky. The amended regulation requires that anyone on a horse or stable pony at any race track or anyone handling a horse in the starting gate must wear an approved safety vest.

**810 KAR 1:009 regarding jockeys and apprentices will set forth the minimum standards for safety vest requirements as follows:**

A jockey mounted on a horse or stable pony on any location under the jurisdiction of the commission shall wear a safety vest at all times. The safety vest shall not weigh more than two (2) pounds and must comply with one of the following minimum standards:

- (a) British Equestrian Trade Association (BETA):2000 Level 1;
- (b) Euro Norm (EN) 13158:2000 Level 1;
- (c) American Society for Testing and Materials (ASTM) F2681-08;
- (d) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6 Issue 3;
- (e) Australian Racing Board (ARB) Standard 1.1998.

**810 KAR 1:026 regarding racing associations will be amended to require anyone on a horse or stable pony or at the starting gate to wear a safety vest as follows:**

Any person mounted on a horse or stable pony on any location under the jurisdiction of the commission, all assistant starters, and any person handling a horse in a starting gate shall wear a safety vest at all times. The safety vest shall comply with one of the following minimum standards:

- (a) British Equestrian Trade Association (BETA):2000 Level 1;
- (b) Euro Norm (EN) 13158:2000 Level 1;
- (c) American Society for Testing and Materials (ASTM) F2681-08;
- (d) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6 Issue 3;
- (e) Australian Racing Board (ARB) Standard1.1998.

Steven L. Beshear  
Governor



Robert D. Vance  
Secretary

Robert M. Beck  
Chairman

## Public Protection Cabinet

KENTUCKY HORSE RACING COMMISSION  
LISA E. UNDERWOOD, EXECUTIVE DIRECTOR  
4063 IRONWORKS PARKWAY, BLDG. B  
LEXINGTON, KENTUCKY 40511  
Telephone: (859) 246-2040  
Fax: (859) 246-2039

Para: Todos los Jinetes

De: Mark Guillfoll, Director Ejecutivo Adjunto de KHRC

Fecha: 10 de Mayo, 2010

Tema: Reglamento modificado del Chaleco de Seguridad

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El objeto de esta nota es informarle que el 15 de Junio del 2010, el Reglamento Modificado en relación con los chalecos de seguridad tomara efecto en Kentucky. Este reglamento modificado requiere que cualquier persona montada a caballo en cualquier hipódromo, o cualquier persona trabajando en cercanía de caballos en las gateras deberá llevar puesto un chaleco de seguridad aprobado.

**810 KAR 1:009 en relación a los Jinetes y aprendices establecerá las normas mínimas de seguridad para los requisitos de chalecos de la siguiente manera:**

Un Jinete montado a caballo en cualquier lugar bajo la jurisdicción de la Comisión de Caballos de Carrera de Kentucky deberá llevar puesto un chaleco de seguridad a toda hora. El chaleco de seguridad no deberá pesar más de dos (2) libras y deberá cumplir con uno de los siguientes requisitos mínimos:

- (a) British Equestrian Trade Association (BETA): 2000 Level 1;
- (b) Euro Norm (EN) 13158:2000 Level 1;
- (c) American Society for Testing and Materials (ASTM) F2681-08;
- (d) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6 Issue 3;
- (e) Australian Racing Board (ARB) Standard 1.1998.

**810 KAR 1:026 en relación con las asociaciones se modificara para que regulara a cualquier persona montada a caballo o cerca de las gateras a utilizar un chaleco de seguridad de la siguiente manera:**

Cualquier persona montada a caballo en cualquier lugar bajo la Jurisdicción de la Comisión de Caballos de Carrera de Kentucky, todos los asistentes de arranque, y cualquier persona trabajando en contacto físico con caballos en las gateras deberá llevar puesto un chaleco de seguridad a toda hora. El chaleco de seguridad deberá cumplir con uno de los siguientes requisitos mínimos:

- (a) British Equestrian Trade Association (BETA): 2000 Level 1;
- (b) Euro Norm (EN) 13158:2000 Level 1;
- (c) American Society for Testing and Materials (ASTM) F2681-08;
- (d) Shoe and Allied Trade Research Association (SATRA) Jockey Vest Document M6 Issue 3;
- (e) Australian Racing Board (ARB) Standard 1.1998.

TWENTY EIGHTH DAY  
POST TIME: 6:00PM

CHURCHILL DOWNS  
www.churchilldowns.com

FRIDAY, JUNE 11, 2010  
Scratch: 11:00 AM Friday, June 11

9th RACE (C8) Post 10:10PM

PURSE \$22,000

FOR FILLIES AND MARES THREE YEARS OLD AND UPWARD.

1	CHAMP LAILA	(LA) '08 F	R10	120	Torres, F	Golden Shazrock Farms LLC
2	QUEEN OF ARTS	(LA) '08 F	R10	120	Lebron, V	Hays, B. D and J
3	ROBINNY GIRL	(L) '08 F	R10	120	Hernandez, Jr. B.	Astbury, D
4	JAIYOU	(L) '08 F	R10	120	Farms, T	Clemons, J
5	LADY HUNKLE	(L) '08 F	R9	120	Borel, C	Stewart, D
6	BETTY'S CHAMP	(LA) '08 F	R9	120	Hene, H	Boyle, B
7	DOMINAD	(LA) '08 F	R9	120	Court, J	Miller, III, J
8	HAPPENSTANCE	(LA) '08 F	R9	115	Lenchud, F	Four D Stable

Claiming \$16,000  
7 Furlongs

10th RACE (C10) Post 10:52PM

The Opening Vase  
\$62,000 Added  
(Includes \$12,000 KTDF)

PURSE \$62,000 Added (Includes \$12,000 from KTDF)

AN OVERNIGHT STAKES FOR THREE YEAR OLDS AND UPWARD.

1	HACHO TORO	(L) '08 C	E24	119	Tolentino, P	Kosco, H
2	FLYING PRIVATE	(LA) '08 C	E17	119	Lenerio, C	Baker, R C and Mack, H L
3	PUBLIC SPEAKER	(LA) '08 H	E15	119	Alvarado, R	Karahalos, P
4	YATES BLACK CAT	(LA) '08 H	E0	119	Hene, H	Crawford, J, Hachtel, A, Brown, H and Robbette, D
5	TIZOEJAVU	(LA) '08 H	E0	119	Castaneda, J L	Cooper, M and Zeburth, P
6	FROM SHOES	(LA) '08 H	E0	119	Bridgman, S	Bliss, P
7	FURTHEST LAND(S)	(LA) '08 Q	E0	119	Theriot, J	Ramsay, K L and S K
8	TIMELESS FASHION	(LA) '08 Q	E0	119	Lopez, J	B-Cler Family Farms LLC and Miller, J
9	POP TART	(L) '08 C	E0	119	Gonzalez, Jr., S	Mill Farm LLC
10	DEMARCATION	(LA) '08 Q	E0	119	Borel, C	Amerman Racing Stables LLC

Overnight Stakes

1/16 Miles (Turf)

11th RACE (C4) Post 11:20PM

PURSE \$14,000

FOR FILLIES AND MARES THREE YEARS OLD AND UPWARD.

1	COT SHAKY	(LA) '04 H	E7	121	Torres, F	Shank, T
2	DARBATHULA	(L) '03 H	R20	121	Canchano, A	Hale, J
3	HAU CREEK	(L) '03 H	R20	121	Lenerio, C	Berry, J and Turner, S
4	PRETTY ALICE	(L) '03 H	R18	121	Sterling, Jr., L	Cella, C
5	MIRIGLEY IVY	(LA) '06 F	R22	121	Bridgman, S	Lover, P and Percy, R
6	VIXES	(LA) '05 H	R16	118	Lenchud, F	Vozel, F
7	DANCE WITH DADDY	(LA) '06 F	R18	121	Hene, H	Spalding, Wayne and McCubbin, Aaron
8	RAJAPUR ROAD	(LA) '06 F	R9	121	Hellancan, L	Kerp, J
9	ECHOES RESOUNDING	(LA) '06 F	R18	121	Lopez, J	Grand Garden Stable
10	JUDY FREE Bird	(LA) '06 F	R9	121	Theriot, J	Harris, Jr., T

Claiming \$5,000  
1 Mile

Off Races C3 - C6 - C11 - C51 - C52 - CX3 - CX4 - CX5 - CX6 - CX7 - CX8 - CX9 - CX10 - CX12 - CX13

(S) Denotes Supplementary Notifications.

Extra Races For Saturday, June 12, 2010  
(Entries Close on Wednesday, June 9, 2010)

X3 EXTRA RACE NO 3  
Purse \$10,000 (Includes \$10,000 from KTDF) For Fillies And Mares Three Year Old And Upward Which Have Never Won A Race Other Than Maiden, Claiming Or Starter or Which Have Never Won Two Races or Claiming Price \$16,000.  
Three Year Olds ..... 124 lbs.  
Older ..... 125 lbs.  
Non-winners of Two Races Since April 12 ..... 124 lbs.  
Claiming Price \$16,000  
Races Where Entered For \$10,000 Or Less Not Considered In Allowance

X4 EXTRA RACE NO 4  
Purse \$18,000 (Includes \$18,000 from KTDF) For Mares, Three Year Old And Upward.  
Three Year Olds ..... 124 lbs.  
Older ..... 125 lbs.  
Non-winners of Two Races Since April 12 ..... 124 lbs.  
Claiming Price \$18,000  
Races Where Entered For \$18,000 Or Less Not Considered In Allowance

X5 EXTRA RACE NO 5  
Purse \$10,000 For Fillies And Mares Three Year Old And Upward Which Have Never Won Two Races.  
Three Year Olds ..... 124 lbs.  
Older ..... 125 lbs.  
Non-winners of Two Races Since April 12 ..... 124 lbs.  
Claiming Price \$10,000  
Races Where Entered For \$10,000 Or Less Not Considered In Allowance

X6 EXTRA RACE NO 6  
Purse \$20,000 For Three Year Olds.  
Three Year Olds ..... 124 lbs.  
Older ..... 125 lbs.  
Non-winners of Two Races Since April 12 ..... 124 lbs.  
Claiming Price \$20,000  
Races Where Entered For \$20,000 Or Less Not Considered In Allowance

X7 EXTRA RACE NO 7  
Purse \$30,000 For Fillies And Mares Three Year Old And Upward Which Have Never Won Two Races.  
Three Year Olds ..... 124 lbs.  
Older ..... 125 lbs.  
Non-winners of Two Races Since April 12 ..... 124 lbs.  
Claiming Price \$30,000  
Races Where Entered For \$30,000 Or Less Not Considered In Allowance

X8 EXTRA RACE NO 8  
Purse \$40,000 For Three Year Olds And Upward.  
Three Year Olds ..... 124 lbs.  
Older ..... 125 lbs.  
Non-winners of Two Races Since April 12 ..... 124 lbs.  
Claiming Price \$40,000  
Races Where Entered For \$40,000 Or Less Not Considered In Allowance

X9 EXTRA RACE NO 9  
Purse \$1,000 For Three Year Olds And Upward.  
Three Year Olds ..... 124 lbs.  
Older ..... 125 lbs.  
Non-winners of Two Races Since April 12 ..... 124 lbs.  
Claiming Price \$1,000  
Races Where Entered For \$1,000 Or Less Not Considered In Allowance

X10 EXTRA RACE NO 10  
Purse \$10,000 For Three Year Olds And Upward Which Have Never Won Two Races.  
Three Year Olds ..... 124 lbs.  
Older ..... 125 lbs.  
Non-winners of Two Races Since April 12 ..... 124 lbs.  
Claiming Price \$10,000  
Races Where Entered For \$10,000 Or Less Not Considered In Allowance

X11 EXTRA RACE NO 11  
Purse \$10,000 For Fillies And Mares Three Year Old And Upward Which Have Never Won Two Races.  
Three Year Olds ..... 124 lbs.  
Older ..... 125 lbs.  
Non-winners of Two Races Since April 12 ..... 124 lbs.  
Claiming Price \$10,000  
Races Where Entered For \$10,000 Or Less Not Considered In Allowance

Closing Friday, June 11, 2010

The Horse, Purse \$62,000  
Three Year Olds and Upward, Five Furlongs (Turf)  
(To be run Friday, June 10, 2010)

\*\*\*\*\*CONDITION BOOK CORRECTION- JUNE 13, 2010 RACE 1 SHOULD BE AT ONE MILE ON THE TURF\*\*\*\*\*

ATTENTION HORSEMEN: Parking for Friday Night Racing fills up fast. Please be advised and try to arrive early.

PER STEWARDS: Only trainers/horsemen who have a horse participating in that race are permitted in the paddock.

\*\*\*\*\*Attention Horsemen\*\*\*\*\*New Safety Vest Regulation- The amended regulation requires that anyone on a horse or stable pony at any race track or anyone handling a horse in the starting gate must wear approved safety vest. The amended regulation comes into effect on June 15, 2010.

CHECK CASHING: All check cashing will be handled at the Rec Room on Fridays and Saturdays from 9:30 a.m. - 12:30 p.m.

CHURCHILL DOWNS RACE SHUTTLE: Churchill Downs will provide a complimentary shuttle for Keeneland-stabled horses racing at Churchill Downs.  
Post Time 12:45 Races 1 thru 6 will leave at 6:30 Races 8 thru 11 will leave at 9:30. Contact Dawey Harper (559-509-2245) or Sales office (800-867-8267)

Kentucky Race Track Retirement Plan Sign-up: Wednesday, May 12 & Thursday, May 13, 9:00 a.m. - 1:00 p.m. in the Christ Chapel

Paddock Schooling during training hours 7:15 a.m. - 9:15 a.m.

Attention Trainers- Stewards permission is required to use a horse. Must do so prior to entering. Please declare at time of entry.

2nd Annual Horsemen's Golf Scramble- June 6, 2010, 11 a.m. - 12:30 p.m. Shotgun Start at Olmstead Country Club. \$100 per player. Benefits The Backside Learning Center. Hole In One contest sponsored by Onyxor Toyota. Visit [www.derbymemorial.org/backside](http://www.derbymemorial.org/backside) for further information.

Texas Holdem Poker Tournament- Proceeds go to Churchill Downs Backstretch Scholarship Fund- Tuesday, June 15 at The Churchill Downs Triple Crown Ballroom. Registration begins at 6 p.m. and the game starts at 6 p.m. sharp. Contact KHSPA or Horsemen's lounge.

Churchill Downs now provides 24/7 access to your statements, 1099's and available balances via our web site at [www.churchilldowns.com](http://www.churchilldowns.com). Select "Racing Information" > "Horsemen" > "Account Access" to view your information.

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Susan Bryson Speckert, General Counsel, Kentucky Horse Racing Commission  
Phone (859) 246-2040

(1) Provide a brief summary of:

(a) What this administrative regulation does: *This administrative regulation sets forth restrictions and requirements regarding the participation of jockeys in horse racing.*

(b) The necessity of this administrative regulation: *The regulation is necessary to protect the health and safety of jockeys and other human and equine participants in horse racing.*

(c) How this administrative regulation conforms to the content of the authorizing statutes: *KRS 230.215 grants the Kentucky Horse Racing Commission the authority to promulgate regulations governing the conduct of horse racing in Kentucky. KRS 230.260(14) requires the Kentucky Horse Racing Commission to promulgate regulations establishing safety standards for jockeys, including use of safety vests. This regulation establishes restrictions and requirements concerning the activities of jockeys during thoroughbred race meetings and requires use of certified and tested safety vests.*

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: *This regulation gives detailed guidance as to what practices and equipment can and cannot be used by jockeys.*

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: *The amendment provides updated provisions concerning the safety vests required to be used by jockeys at locations under the jurisdiction of the Commission. The amendment allows the use of several safety vests that provide adequate protection for jockeys.*

(b) The necessity of the amendment to this administrative regulation: *The amendment is necessary to ensure that jockeys wear proper protective safety vests at locations under the jurisdiction of the Commission.*

(c) How the amendment conforms to the content of the authorizing statutes: *KRS 230.215 grants the Commission broad authority to promulgate regulations governing horse racing. KRS 230.260(14) requires the Kentucky Horse Racing Commission to promulgate regulations establishing safety standards for jockeys, including use of safety vests. This amendment addresses an important issue concerning jockey safety, the use of safety vests.*

(d) How the amendment will assist in the effective administration of the statutes: *The amendment will further the goal of securing the safety and welfare of jockeys at locations under the jurisdiction of the Commission.*

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: *There are approximately 100 jockeys engaged in thoroughbred racing who are licensed by the Kentucky Horse Racing Commission. The jockeys will be required to comply with the new safety vest rules.*

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: *Jockeys and companies manufacturing safety vests will be required to conform to the new requirements. Jockeys who do not already have a safety vest that complies with the amended regulation will have to obtain a new vest. However, this is a normal expense for jockeys.*

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): *No costs will be imposed on the commission to comply with this amendment. Jockeys who do not already have a compliant safety vest will have to obtain a new vest at a cost of approximately \$200.00 -- \$400.00.*

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): *The welfare of jockeys and other human and equine participants in horse racing will be enhanced by ensuring that proper safety vests are worn at locations under the jurisdiction of the Commission.*



(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: *No cost.*

(b) On a continuing basis: *No cost.*

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: *N/A*

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: *No additional fees or funding will be necessary to implement this administrative regulation.*

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: *The regulation does not establish or increase any fees.*

(9) TIERING: Is tiering applied? (Explain why or why not) *No tiering is applied. The rules concerning safety vests apply equally to all participants in horse racing.*